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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 QUALITY PRODUCTS INC,

11 Plaintiff,

12 v.

13 VERKA FOOD PRODUCTS LTD,

14 Defendant.

CASE NO. C17-1418 MJP

ORDER ON MOTION TO COMPEL

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16 The above-entitled Court, having received and reviewed:

- 17 1. Plaintiff's Motion to Compel (Dkt. No. 62),
18 2. Defendant's Response to Plaintiff's Motion to Compel (Dkt. No. 65),
19 3. Plaintiff's Reply in Support of Motion to Compel (Dkt. No. 67),

20 all attached declarations and exhibits, and relevant portions of the record, rules as follows:

21 IT IS ORDERED that the motion is DENIED.

22 It appears to the Court that the parties have failed to meet and confer, which means either
23 a face-to-face or a voice-to-voice conference. The meet-and-confer must continue until the
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1 parties reach an impasse, and until the moving party can articulate in writing what is requested,
2 why it is needed, and why what has been produced is insufficient. The responding party must
3 then be able to articulate in writing the basis upon which the request is objected to, why the party
4 has a right to withhold the material or the fact that the information is not in the control of the
5 responding party.

6 The parties here have failed to exhaust the requirement.

7 Discovery cannot be sorted out by exchanging character barbs or evaluating discovery
8 production on the basis of pages, pounds, or gigabytes. Each request must be calculated to
9 support the elements of the case as plead and must take into account the cost of production and
10 the ultimate value of the case.

11 The parties are ordered to actually meet and confer within seven (7) days from the date of
12 this order. If, at the conclusion of the meet-and-confer, there are issues which have not and
13 cannot be resolved, the parties are ordered to use Local Rule 37 to present their dispute using the
14 unified pleading format.

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16 The clerk is ordered to provide copies of this order to all counsel.

17 Dated December 12, 2018.

18 

19 The Honorable Marsha J. Pechman
20 United States Senior District Court Judge